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COMMITTEE ON THE PEACEFUL USES OF OUTER SPACE

LEGAL SUBCOMMITTEE

Thirtieth session

SUMMARY RECORD OF THE 539th MEETING

Held at Headquarters, New York,
on Monday, 25 March 1991, at 10.30 a.m.

Chairman: Mr. MIKULKA Czechoslovakia

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The meeting was called to order at 11.05 a.m.

OPENING OF THE SESSION

1. The CHAIRMAN declared the thirtieth session of the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space open and welcomed the representatives of the new member of the Subcommittee, the Ukrainian Soviet Socialist Republic, and those of the new observers, the International Law Association and the International Society for Photogrammetry and Remote Sensing.

2. Mr. FLEISCHHAUER (Under-Secretary-General for Legal Affairs, Legal Counsel), speaking on behalf of the Secretary-General, said it was important to note, as the Subcommittee celebrated its thirtieth anniversary, the solid contribution it had made to the progressive development of international space law by elaborating five international treaties and three declarations of legal principles on the subject. In so doing the Subcommittee had gained the respect of the international community and offered an outstanding model of how international legal regulation in an area of interest to all nations could be achieved.

3. The Subcommittee was approaching another significant milestone: the elaboration of draft principles relevant to the use of nuclear power sources in outer space had entered its final stages. That further achievement would again demonstrate that the spirit of goodwill and compromise which had always permeated the work of the Subcommittee could resolve most difficulties, even those which might look insurmountable in the beginning.

4. The Office of Legal Affairs, which provided secretariat support to the Subcommittee, stood ready to be of any assistance in order to ensure the success of the session.

5. Mr. KHABIROV (Union of Soviet Socialist Republics) emphasized the importance of the statement the Legal Counsel had just made and asked that it should be distributed to all delegations.

ADOPTION OF THE AGENDA AND SCHEDULE OF MEETINGS (A/AC.105/C.2/L.180)

6. The CHAIRMAN, after drawing attention to paragraph 4 of resolution 45/72, said that if there was no objection he would consider that the Subcommittee wished to adopt the provisional agenda (A/AC.105/C.2/L.180) prepared by the Secretariat on the basis of that paragraph.

7. It was so decided.

8. The CHAIRMAN noted with satisfaction that after the progressive improvement of the last few years, the Subcommittee had in 1990, for the first time, crossed the efficiency threshhold of a 75 per cent rate of use of conference resources set by the Committee on Conferences, with a rate of use of 84 per cent. That record rate was a result of a number of measures, which were outlined in paragraph 15 of the

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Subcommittee's report on the work of its twenty-ninth session (A/AC.105/457), which the Subcommittee had agreed to again adopt at its thirtieth session (ibid., para. 17). That decision had been approved by the Committee on the Peaceful Uses of Outer Space (A/45/20, para. 146), which had also recommended that the Subcommittee should rotate each year the order of substantive agenda items and that at its current session it should first take up matters relating to the definition and delimitation of outer space and the geostationary orbit, followed by the item on outer space benefits and then the elaboration of draft principles on nuclear power sources (ibid., para. 143). After reading out the arrangements concerning the use of conference resources set out in paragraph 15 of document A/AC.105/457, he proposed that six formal afternoon meetings should be cancelled and informal consultations planned instead, as indicated in document A/AC.105/C.2/L.180. If there was no objection, he would consider that the Subcommittee wished to approve the above-mentioned provisions concerning the use of conference resources and adopt the schedule of meetings contained in document A/AC.105/C.2/L.180.

9. It was so decided.

ORGANIZATION OF WORK

10. The CHAIRMAN said that if there was no objection he would consider that the Subcommittee wished to re-establish working groups on agenda items 3 (Nuclear power sources), 4 (Definition of outer space and the geostationary orbit) and 5 (Outer space benefits) and to reappoint Mr. Winkler (Austria), Mr. Zawels (Argentina) and Mr. Gonzales (Chile) as their respective Chairmen.

11. It was so decided.

PARTICIPATION OF NON-MEMBER STATES

12. The CHAIRMAN, after announcing that Greece, Peru and Spain had asked to take part in the Subcommittee's work and recalling that it was for the Committee on the Peaceful Uses of Outer Space to grant observer status, proposed that the Subcommittee should not take a formal decision but that, if there was no objection, the representatives of the three countries should participate in the Subcommittee's official meetings and submit a request to the Chairman should they wish to make a statement.

13. It was so decided.

DEFINITION AND DELIMITATION OF OUTER SPACE AND CHARACTER AND UTILIZATION OF THE GEOSTATIONARY ORBIT

14. The CHAIRMAN drew attention to chapter II of the Subcommittee's report on its twenty-ninth session (A/AC.105/457), which was devoted to the question. The report of the relevant working group appeared in annex II of that document. The paragraphs of the report of the Committee on the Peaceful Uses of Outer Space (A/45/20) devoted to the question were paragraphs 112 to 118 and 142 (b). The

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Scientific and Technical Subcommittee, at its twenty-eighth session, had considered the physical nature and technical attributes of the geostationary orbit, and chapter VI of its report (A/AC.105/483) was devoted to that subject. In conformity with the General Assembly's decision in paragraph 4 of resolution 45/72, in order to take into account the concerns of all countries, particularly those of developing countries, the consideration of that agenda item would be continued through the relevant working group.

The meeting rose at 11.45 a.m.